

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars and leaflets which accompanied the article were false and misleading since they represented and suggested that milk cultured with the article would enable the consumer to enjoy better than average health, to retain beauty for a long time, and to keep the spirit of youth for many years; that it would greatly aid health and vitality, prolong life, prevent dysfunction of the vital organs, particularly the gastro-intestinal tract, prevent premature old age, and fight unfriendly microbes; and that it constituted an adequate treatment for chronic constipation, colitis, ulcers, and allied intestinal conditions. The article would not be effective for such purposes.

The article was alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: March 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2094. Misbranding of Yogourt Culture. U. S. v. 21 Bottles of Yogourt Culture, and a number of window streamers and leaflets. Default decree of condemnation and destruction. (F. D. C. No. 19021. Sample No. 14614-H.)

LABEL FILED: February 8, 1946, Eastern District of Michigan.

ALLEGED SHIPMENT: By the Gaymont Laboratories, from Chicago, Ill. The product was shipped on or about January 5, 1946, and the window streamers were enclosed in the shipping cartons. The leaflets were delivered to the consignee by a representative of the shipper on or about March 1, 1945.

PRODUCT: 21 bottles of *Yogourt Culture* and a number of window streamers entitled "The Original Dr. Gaymont's Yogourt Culture Now Prepare Yogourt—The Amazing Milk Health-Food at Home" and a number of leaflets entitled "Science Says . . . Live Longer," at Detroit, Mich. Examination of a sample of the product showed that it had the composition indicated on the label.

LABEL, IN PART: "The Original Dr. Gaymont's Yogourt Culture."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements appearing on the window streamers and in the leaflets which accompanied the article were false and misleading since they represented and suggested that *Yogourt* prepared with the article would be effective to enable the user to live longer, to enjoy youth for extra years, to maintain the health of those who are healthy and restore health to those who are unhealthy, and to remedy intestinal disorders. The article would not be effective for such purposes.

The article was alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: March 13, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2095. Misbranding of Miracle Bath, Miracle Milk Bath, Miracle Aid Lotion, and Miracle Cream. U. S. v. 41 Packages of Miracle Bath, 23 Bottles of Miracle Aid Lotion, and 33 Jars of Miracle Cream, and a quantity of accompanying printed matter (and 7 other seizure actions against other lots of the same products and printed matter). Default decrees of condemnation and destruction. (F. D. C. Nos. 18970, 18975, 18983 to 18985, incl., 19006, 19215, 19216. Sample Nos. 4907-H to 4911-H, incl., 12837-H to 12839-H, incl., 13795-H, 13796-H, 15922-H to 15935-H, incl., 52425-H, 52426-H, 52429-H, 52558-H to 52560-H, incl.)

LABELS FILED: Between January 14 and February 25, 1946, Northern and Southern Districts of Ohio, Southern District of Indiana, and Eastern District of Pennsylvania.

ALLEGED SHIPMENT: Between July 9, 1945, and January 1946, by Miracle Laboratories, from Chicago, Ill.

PRODUCT: 351 packages of *Miracle Bath*, 126 packages of *Miracle Milk Bath*, 115 bottles of *Miracle Aid Lotion*, and 260 Jars of *Miracle Cream* at Columbus, Cincinnati, Cleveland, and Toledo, Ohio; Terre Haute and Indianapolis, Ind.; and Philadelphia, Pa. Quantities of printed matter accompanied the products at Columbus and Cleveland, Ohio, and a portion of the products at Indianapolis, Ind. The printed matter consisted of circulars entitled "At Last * * * A Simple and Sensible Plan to Control Your Figure," leaflets entitled "The Miracle Plan" and "Wrinkles and Double Chin Vanish," and display cards entitled "Miracle Aid Lotion," "Miracle Bath," "Miracle Milk Bath," and "Miracle Cream."

Examination disclosed that the *Miracle Bath* consisted essentially of epsom salt, sulfur, and soap; that the *Miracle Milk Bath* consisted essentially of epsom salt and skim milk powder; that the *Miracle Aid Lotion* consisted of water, with small proportions of soapy material, gum, and perfume; and that the *Miracle Cream* consisted of epsom salt, sodium sulfate, water, fatty acids, and methyl salicylate.

NATURE OF CHARGE: *Miracle Bath*. Misbranding, Section 502 (a), certain statements in the labeling were false and misleading since they represented and suggested that the article would be efficacious in the reduction of weight and in the treatment of rheumatism and arthritis, whereas it would not be efficacious for such purposes.

Miracle Milk Bath. Misbranding, Section 502 (a), certain statements in the labeling were false and misleading since they represented and suggested that the article would be efficacious for reducing, whereas it would not be efficacious for such purposes.

Miracle Aid for Wrinkles. Misbranding, Section 502 (a), certain statements in the labeling were false and misleading since they represented and suggested that the article would be efficacious to remove wrinkles and double chin, to feed the skin tissues, to pep up sluggish circulation, and to activate important glands, whereas it would not be efficacious for such purposes.

Miracle Cream. Misbranding, Section 502 (a), certain statements in the labeling were false and misleading since they represented and suggested that the article would be efficacious to bring about a reduction in weight, to recapture a lost waist line, to flatten a pouchy abdomen, to streamline the hips, to reduce a double chin and other parts of the body, to correct the individual imperfections of the feminine figure, and to aid ugly, fatty, and superfluous tissues to disappear. The article would not be efficacious for such purposes.

DISPOSITION: Between March 8 and May 27, 1946, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

2096. Misbranding of Miracle Bath, Miracle Milk Bath, Miracle Aid Lotion, and Miracle Cream. U. S. v. 10 Packages of Miracle Milk Bath, 23 Jars of Miracle Cream, 23 Packages of Miracle Bath, and 9 Bottles of Miracle Aid Lotion, and a quantity of accompanying printed matter (and 7 other seizure actions against other lots of the same products and printed matter). Default decrees of condemnation and destruction. (F. D. C. Nos. 19254, 19353, 19497, 19498, 19577, 19578, 19603, 19604. Sample Nos. 7372-H, 14493-H, 19316-H, 51060-H, 51061-H, 52525-H to 52529-H, incl., 52707-H, 52709-H, 53102-H.)

LIBELS FILED: Between March 1 and April 11, 1946, Northern and Southern Districts of Ohio, District of New Jersey, Southern District of Iowa, and District of Minnesota.

ALLEGED SHIPMENT: Between the approximate dates of January 28 and March 18, 1946, by Marval Laboratories, Inc., from Chicago, Ill.

PRODUCT: 125 Packages of *Miracle Milk Bath*, 116 packages of *Miracle Cream*, 9 bottles of *Miracle Aid Lotion*, and 95 packages of *Miracle Bath* at Cincinnati, Columbus, Cleveland, and Akron, Ohio; Newark, N. J.; Des Moines, Iowa; and Minneapolis, Minn. Quantities of printed matter accompanied the products to Cincinnati, Ohio, and Des Moines, Iowa. The printed matter consisted of circulars entitled "The Miracle Plan," leaflets entitled "To Help You Reduce," and display cards entitled "Miracle Cream," "Miracle Bath," "Miracle Milk Bath," and "Miracle Aid Lotion."

Examination disclosed that the *Miracle Bath* consisted essentially of epsom salt, sulfur, and soap; that the *Miracle Milk Bath* consisted essentially of epsom salt and skim milk powder; that the *Miracle Aid Lotion* consisted of water, with small proportions of soapy material, gum, and perfume; and that the *Miracle Cream* consisted of epsom salt, sodium sulfate, water, fatty acids, and methyl salicylate.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the articles were false and misleading since they represented and suggested that the *Miracle Milk Bath* and *Miracle Cream* would be efficacious to bring about a reduction in weight; that the *Miracle Bath* would be efficacious in the reduction of weight and in the treatment of rheumatism and arthritis; and that the *Miracle Aid Lotion* would be efficacious to remove wrinkles. The articles would not be efficacious for such purposes.